

STRICTURES

ON

TWO LATE PUBLICATIONS

OF

Messrs. GRAISBERRY and FRANKLIN;

PURPORTING TO BE

“ FULL AND FAITHFUL REPORTS OF THE SPEECH

“ OF THE RIGHT HON. HENRY GRATTAN,

“ IN THE HOUSE OF COMMONS, ON

“ THURSDAY, 14TH FEB. 1788.”

W I T H N O T E S.

AND

A P P E N D I X:

CONTAINING

Observations on the BARREN-LAND BILL.

BY A CLERGYMAN.

MAGNA EST VERITAS ET PREVALEBIT.

D U B L I N:

PRINTED BY R. M. BUTLER, No. 2, GRAFTON-STREET.

M,DCC,LXXXIX.



STRIOTUR

ENGLETT KIRK

OF

THE

18

THE

THE

THE

THE

THE

01... 204

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

INTRODUCTION.

WHEN a public charge of a grievous nature ^{is} solemnly exhibited against either an individual or a collective body, to defend is not only the right, but becomes the duty of the accused. Upon this principle the following vindication is submitted to a generous people with chearful confidence in that justice, which interested arts and splendid declamation may suspend, but cannot overcome.—The appearance of it however at so late a period demands some apology. In truth it was undertaken upon the first perusal of Messrs. Franklin and Graisbery's Reports, but laid aside in consequence of some very sensible and judicious efforts made to counteract their injurious tendency. That the tongue of the orator can, like the poet's pen, but with an intention not always so innocent, "give to airy nothing a local habita-

tion and a name," has been very sufficiently shewn by Authenticus and a Southern Clergyman, whose publications, at once liberal and convincing, seemed to render any further defence of the clergy unnecessary. The industry with which the obnoxious oration continued to be circulated, particularly in the south, where it was lately republished in a Cork paper, induced the author of the following pages to resume his undertaking, to which the still-substisting spirit of riot and combination was an additional inducement. He will not however trespass on the public patience by treading the same ground, and recapitulating the arguments of his precursors. He ventures to think that some new lights will be thrown on the subject by the following observations, for the pains bestowed on which he will be more than recompenced, if they contribute in any degree to the exposal of fallacy, and the justification of innocence.

STRICT

STRICTURES

ON

TWO LATE PUBLICATIONS

OF

Messrs. GRAISBERRY and FRANKLIN.

IN the publication of each of the reporters, (who do not differ materially) we find it asserted that the people are oppressed, not only by the exorbitancy of the clergy in their legal demands, but also by novel and unlawful charges, exhibiting a "scene of melancholy and iniquitous imposition on the southern peasantry*." These charges are brought

* A noble lord (according to the reporters) who rose to second Mr. G——'s motion, asserted, "that the peasants who cultivated poor lands were utterly unable to pay tithe of any kind, though tithe of every kind was rigorously demanded." His lordship should have explained how this inability

brought forward on the credit of certain depositions verified or to be verified upon oath. That persons might have been ready to verify, *i. e.* to swear to, the said charges, I have not the least doubt, being well satisfied that in one county in Munster alone, and that not the largest, deponents might be procured to *verify* not only the aforesaid depositions, but as many more as the orator's ingenuity could frame. But depositions of this nature, in which so large a property and so great a number of citizens are concerned, should be always received with caution. Admitting the character and respectability of these, as yet unknown, deponents, it is strongly to be suspected that their allegations apply to particular and extraordinary cases from which no general conclusions can be fairly drawn. That the collection * of tithe has never been attended

inability was created. It was not by the incumbent, for it existed prior to and independent of his demand;—it was not by the soil, for the poorest soil is surely well worth tilling at the expence of a tithe of its produce. There must have been some other cause by which the peasant became incapacitated to pay his clergyman. Whether this was a rack-rent, or what it was, his lordship did not think proper to inform us.

* Strictly speaking, the collection of tithe cannot be attended with injury or extortion. If the farmer sets out his tithe according to law, the incumbent cannot extort any more, or do him any injury. If he does neither buy nor set out his tithes, it is neither injury nor extortion to sue for the value. In all transactions circumstances may give one party an advantage over the other, but such circumstances are by no means peculiar to tithes, but common to all dealings between man and man.

attended with injury or extortion, I do not undertake to maintain, for what establishment ever escaped abuse.—But I hope to shew, to the satisfaction of every candid and dispassionate enquirer, that the great charges of oppression are wholly unfounded; that the general conduct of the clergy has been marked with moderation; and that they have been not the authors but the objects of injurious innovation.

The first of the “ iniquitous impositions on the peasantry of the south,” of which the clergy are accused, is the tithing of turf. That tithe of * turf has in some few places been demanded and paid, is not to be denied. With respect to the legality of the proceeding, I am not competent to decide. Local customs assume from immemorial use the authority of law. Upon this principle it has been demanded by persons who possibly thought it no crime to obtain as a right what their predecessors had freely enjoyed, and what they could not resign without injury to their successors.—Had any clergyman claimed tithe of turf unpaid before, the charge of encroachment might be just; but enquiry would have shewn, and candour have confessed,

* Turf is certainly not titheable of common right, but it is equally certain that it may be titheable in any place by custom. So lead pays tithe in parts of England; and all mines are allowed to be titheable by custom. Tithe of turf claimed by custom has been adjudged to the clergy by decrees of the Court of Chancery.

ferred, that the demand has been discontinued within the last ten years; and that many clergymen of this day have given up what those of a former peaceably enjoyed.

Tithe of furze next afforded argument for the exertions of eloquent compassion. This however, though in many places of considerable value and due of common right in all, is far from a general claim. I believe it may have been paid heretofore in some few parishes in Munster, though I have not been able to fix where. One thing I will venture to assert, that it never has been tithed except where cut for sale. We may therefore safely refer the orator's charge, on this head, to the *black* catalogue of exactions which exist not, but in the imagination, and commit depredations only upon paper.

The third article of atrocious imposition is, the charge of two shillings a house, distinguished by the title of Smoak-money;—a charge (as it is said) not only arbitrarily imposed by the parson, but also illegally admitted by the ecclesiastical * judge. That

no

* I omit saying any thing of ecclesiastical courts, the nature and practice of them having been already sufficiently discussed and defended by Authenticus and others. In answer to the inferences in prejudice of that of Cashel, from certain extracts produced by Mr. G——, I shall only subjoin Mr. Cowper's advertisement, by which it will appear how faithfully those extracts have been made, and how much they are to be depended on.

To

no such claim ever existed, I shall not undertake to affirm; but if the result of very diligent researches and the most respectable information is a safe ground for confidence, I may venture to assert, that the present clergy of the south are strangers even to its name. The only vestige I could discover of any thing similar was in the diocese of Cloyne, a clergyman of which, collated to a benefice about four years ago, was then informed that his predecessors had used to receive ten pence per annum from each house.—The origin of this demand was too remote to be traced; the claim † itself was become obsolete,

To Mr. Magee, Printer of the Dublin Evening Post.

SIR,

IN your paper of the 17th instant, in a speech, which you call Mr. Grattan's, are a variety of extracts, said to be taken from the Vicar's Court of Cashel. Now to prevent the public from being deceived, I think it my duty, as register of that court, to say that those abstracts were made in my absence and without my knowledge, and I have discovered such omissions and additions in them as entirely misrepresent the true and real state of facts.

I am, Sir, &c.

SAM. COWPER,

CASHEL,
July 26, 1788.

Register of the Metropolitan
Court of Cashel.

† This claim might have been for offerings and other dues, of which were several sorts differing in different places according to custom. Easter offerings in particular (for they were not the only dues) are declared to be due of com-

B

mon

lete, nor did he wish or endeavour to redeem it from oblivion.

Such are the illegal and iniquitous impositions on the peasantry of the south;—impositions which however heinous in fancy, are harmless in fact, however formidable in a senator's speech, or a fixpenny pamphlet, are either unknown to the persons supposed to groan under their weight, or known only to be disregarded. One might expect that a man of candour would take notice of indulgence as well as exaction, and that while he exposed the innovations of clerical extortion, he would not pass by the clergy's patient endurance of encroachment upon acknowledged right. The small tithes of considerable value in many parishes, and the small dues, are universally withheld from them; and of the numerous articles subject by law and custom to ecclesiastical demands, the great tithes only remain. The orator's own positions would prove the merit of these concessions: for surely the power which enabled the clergy to innovate and oppress, must have been adequate to the enforcement of just and legal demands.—An open acknowledgment

mon right, at two pence a head for each in the family above 16 years, payable by the master of the house.—Possibly therefore many houses might formerly have paid two shillings per house, and that on more legal grounds than Mr G—— supposes. These demands have been discontinued; a curious reason, as it should seem, for charging the clergy with imposition.

knowledge of this nature would indeed have pointed to an inference very wide of his scope and intention, *viz.* that injurious innovation was not on the side of the clergy.

The reporters present us with a table of tithe † ratages, calculated for the different parts of Munster, with an ingenuity fimilar to that which discovered that a fuccefsful demand of the tenth would give the clergy one-fixth of the yearly produce of the kingdom. The true average prices of tithe formed from the moft correct returns of the feveral parifhes in the diocefes of the province of Munster, have been already fo clearly fet forth, that I fhall not trefpafs on the reader by unneceffary repetitions.—

Strangers to the peasantry and agriculture of that part of the kingdom could alone be imposed on by exaggeration so monstrous. Where the information was procured, on which those ratages are founded, I shall not pretend to conjecture ; but I will venture to say where it was not procured, at least with

B 2

respect

† Admitting the ratages are as high as they are represented, where is the injury or injustice in a man's selling his property for the best price he can get. The farmer has his choice to buy or set out the tithe; if he does not like the price, he is under no sort of obligation to give it. But surely he has no reason to complain, if another will not sell him his goods at half value. Many incumbents, he will say, do so—very true; if I chuse to give B ten shillings, it is a very good reason why he should be thankful, but not why C should complain that he is not presented with a like gift.

respect to the county of Cork. The return of prices made by the commissioner for hearing causes under the compensation-act (a gentleman too respectable to be suspected of partiality) afforded no grounds for such a ratage †. This however formed a fairer basis

† In about forty parishes the rectors or incumbents of which sued in Chancery under the compensation-bill, sixteen took defence on the ground of high charges, of which sixteen some were impropriate. The remaining twenty-four, together with all those in which the civil bill process was used, acquiesced in the charges made, and (in the few instances where opposition was given) took defence upon other grounds. Hence we are furnished with a method of coming to an exact knowledge, not only of the number of parishes in which high demands were made, but also of the precise amount of those demands, according to the return of an agent employed in Chancery suits for tithe under the compensation-bill, it appears that the highest prices for tithes in the sixteen parishes before-mentioned were as follows:

For the best acre of potatoes, in the best land, from 6*s.* to 10*s.*

For the best acre of wheat, from 5*s.* to 10*s.*

For the best acre of barley, from 4*s.* to 8*s.*

For the best acre of oats, from 2*s.* to 5*s.* 6*d.*

For ditto of meadow, from 1*s.* to 4*s.*

The prices in tillage of inferior quality proportionably reduced.

A ratage formed upon these prices would amount to 8*s.* for potatoes—7*s.* 6*d.* for wheat—6*s.* for barley—3*s.* 9*d.* oats—and 2*s.* 6*d.* for meadow. —This ratage however would be too high even for these sixteen parishes, because it is formed upon the highest prices alone; whereas the just average should be drawn from a comparison of the highest with the lowest prices. If therefore this average is too high even for those few parishes, confessedly dearer than the rest, how much must it exceed the true ratage or average of tithes throughout the county.

basis for estimate than the suspicious allegations of any factious or interested individual. Truth and justice would have adopted the unequivocal report of a select, impartial and competent judge; other qualifications embraced other authority.

The increased value of benefices in Munster is considered as another symptom of heinous oppression. It could not be deemed very wonderful or extraordinary, had the value of livings risen with the improvement of agriculture and the prices of grain. That they have exceeded, or even kept up to their due proportion to these, is so far from true, that in many parts of the south where the tillage has increased very considerably within the last twenty years, benefices have admitted but a trifling augmentation. The vast increase of agriculture that followed the erection of flour-mills in lands previously consigned to pasture, would account for the sudden rise of a few livings without the aid of clerical rapacity. The fact is, that the ratages of tithe have generally diminished within the last twenty years, and that in a greater degree than most persons are aware of. This will clearly appear from a comparison of present valuations with past.—Tithe-books of old dates are in the possession of many clergymen and impropriators, by which the curiosity of an inquirer might be easily gratified. I have seen one of a parish
near

near Cork, in which the tithe of wheat was twenty-five years ago rated at seven shillings; that was probably the general ratage of the vicinity †. The present does not exceed five. From this, if the different value of money in each period be taken into account, it clearly appears that the clergy have fallen in their demands almost one half. I do not say that every proprietor of tithe has lowered his charges in the same proportion, or that the demands of some are not higher; but I maintain that the general conclusion is strongly indicative of the moderation and lenity of the present clergy.—Much pains have been most unnecessarily taken to disprove the divine right of tithes; and a principal argument for an alteration of the present system is, its being a Jewish custom, adopted by Christians in the fourth century, and confirmed by an usage of *only* 1300 or 1400 years. The quotations from scripture do indeed bear *right honourable* testimony to the
the

† I say vicinity, because it is difficult to suppose that there ever was or could be a general ratage for the country. Superior fertility of soils and convenience of situation could not but make great difference in the value of tithes. Hence the objection to a commutation by acreable ratage. A ratage formed upon the middle or average prices of tithe in a country, would be too high for the poor lands, and too low for the rich, and thereby, without materially serving the tillers of the latter, would be very distressing to those of the former.

the piety of the speech-maker, but they do no more. Our Saviour's general monition, "Beware of covetousness," might have been applied with as much propriety to any other description of Christians, the clergy not being the most remarkable for worldly wisdom or a desire to amass. I doubt whether all the rectors in Munster could, with the aggregate of all their extortions, command at this moment as large a sum as has been deemed not more than the quantum meruit of *one modest* senator. The moral injunctions of our divine master are alike binding on all. Admitting therefore the clergy to be more attached to pecuniary considerations than is really the case, it seems a little unreasonable to impute to them, as a reproach, that prudence which is deemed meritorious in others. Precluded from the advantages of commercial industry, the clergy, in whom the voice of nature is not stifled by the sacredness of their function, depend for the supply of their wants on the provision made for them by the known law of the land. Under this law they hoped to obtain what their predecessors quietly possessed. Conceiving that they were not worse citizens and subjects than other men, they presumed to consider themselves entitled to equal security in their persons and in their properties. If the collection of their dues *be* injurious, it should be considered that the mode is not of their devising ;

devising ; if this legal innovation of thirteen centuries *be* oppressive, let it be remembered that they are not the innovators. The present clergy claim in no place more than, and in very few places so much as, their predecessors have possessed under the sanction of law and immemorial custom. If a landlord, upon his tenant's inability to answer his demand, seizes upon his goods, and throws the wretch into a loathsome dungeon, regardless of his supplications and deaf to the cries of a lost and helpless family ; what is the consequence ? The deed excites neither indignation nor surprize ; the tale of woe is heard with indifference and unconcern.—

Does any patriotic Quixote arise to plead *his* cause in the great assembly ? Are any humane and liberal esquires found to spread discontent and foment sedition for the relief of insolvent tenants ? Not one. A combination against cruel landlords would soon be dissolved. Occasional distress would never be permitted in this instance to form an apology for transgression, and a strict obedience to the laws of the land would be rigorously enforced. But when a clergyman, equally sanctioned by these laws, demands that portion which they allot, *he* “ asks a child's share, *he* extracts alms from a beggar, *he* grinds the face of the poor, &c. &c.” The person whose claim affects but the tenant's
part

part * of the cottager's yearly produce, is guilty of heinous exaction, if his demand be enforced;

* There is but one possible case in which the payment of tithe can be an intolerable or oppressive burden, and that is where land is not worth cultivating at the expence of paying one-tenth of its produce. In all other cases (*i. e.* in all those hitherto known) it is *impossible*. For the land having been subject to tithe before the landlord obtained, or the tenant occupied it, neither can complain of what he knew to be the condition of possessing. The less too, as the former bought it cheaper, and the latter took it at a lower rent, because of its being liable to this burden or service. Farther, it is a contradiction to say, that a man subject to two payments; one prior, smaller, and fixed by law, the other posterior, greater and arbitrary, *can* be oppressed or aggrieved by the former. If there is oppression, it must necessarily be derived from the latter.—Suppose A gives to B 100 acres of land on this condition, that C is to receive one-tenth part of the produce; it is clear that A's gift and B's acquisition is the ninth part of the produce subject to the burden of cultivating the tenth also.—Suppose this land to be worth 1000*l.* to a purchaser, or 50*l.* per annum, to an occupier antecedent to the donation, it is equally clear that B, if he sells it, should lower his demand to the purchaser; if he lets it, should require a smaller rent from the tenant, in consideration of and in proportion to the burden of tithe previously imposed by A; if he does not, the purchaser or the tenant may be cheated and aggrieved; but it is by Squire B, not by Parson C. If the donor gives at the same time another 100 acres, but without any such burden or deduction, yet would B have no more reason to complain than if a testator had left his neighbour 200*l.* and him but 100*l.* Do the Peers of England refuse to be Lords of the Bedchamber, because they pay 5*s.* 6*d.* in the pound, which, with Christmas-boxes, reduces their 1000*l.* per annum to less than 700*l.* Would Mr. G—— have refused the splendid grant of 50,000*l.* even though he had been obliged to pay 500*l.* per annum

C

to

enforced; he whose claim reaches perhaps to three-fourths of the remainder may, if the rent be not punctually paid, seize upon his all, and with little form of law selling (perhaps for half value) his entire stock, turn him naked on the world! Let any man of common sense and common honesty, laying his hand upon his heart, declare, if it be possible for the strictest exaction of the tenth part to ruin (scarcely to distress) the man whom oppression reached not in the other nine.—But we are told that the parson's tenth amounts, “by a just calculation, to one-sixth; and that if the clergy were to receive the full amount of their dues, not less than one-sixth of the produce of the kingdom would fall annually into their hands.”—This is not the only part of the speech under consideration that wears a ludicrous and ironical appearance. The assertor could not surely have been ignorant that a great portion of tithes is in possession of laymen. But supposing it otherwise, I confess myself wholly unacquainted with the principles upon which the justness of the calculation depends. The tenth part of the peasant's produce, whether it continues in his own field, or is removed into the parson's barn, will undoubtedly still bear

to Swift's Hospital or the Right Hon. H. F.—I trow not, Though I dare say the noble Lords in *esse* would be, and the noble Lord in *posse & prospectu* is much better pleased not to be clogged with such disagreeable deductions,

bear the same proportion to the other nine. —The labour of cultivation that raises the worth of the tithe, adds a proportional value to the rest. Former arithmeticians, however ingenious and acute, were ignorant that after the subtraction of a tenth part no more than five-sixths remained. The power of numbers was before surprising ; it remained for a modern discoverer to make it *miraculous*. This* novel arithmetic may be very proper while confined to clerical property ; an attempt to extend its application would, I believe, meet but little encouragement.

It is asserted, in the Reports, that the peasantry of Munster were incited to combination, outrage and disorder, by the oppressions of the clergy. Had injury been the real cause of insurrection, and was the reduction of exorbitancy the sole object of the insurgents, outrage and combination would have been confined to those parishes where

* Rents have been paid in kind.—Suppose an instance of it to recur, and that a landlord lets a farm on condition of receiving yearly a fourth of the produce. The tenant, after saving his crop, sends him a seventh part, demanding a receipt in full for the year's rent; the landlord refuses, alledging that his agreement was for a fourth: true, replies the tenant; but if you calculate justly, you will find that, with the labour and all the incidental expences of cultivation, it amounts to a full fourth—at least I have very high authority for saying so, and shall therefore pay you no more. *Crede quod habes & habes.*

oppression was said to have been practised, and tranquillity would have maintained her seat among the rest : at least those places in which extortion was committed would have been most distinguished for violence and sedition. Now the truth is, that no sort of distinction was made between the resident incumbent of acknowledged moderation, and that horrible monster the unjust and unrelenting tithe-farmer. The brightest virtues that adorn the character of a Christian pastor afforded no protection either to person or to property :—nay, as if war had been declared against merit as well as against law, some of the most respectable of the southern clergy were among the most persecuted. From these observations it should appear that oppressions, were not the sole cause of insurrection. The following may serve to point out the true origin and support of the combination.

In the autumn of 1787, two or three clergymen in the county and diocese of Cork, finding the combination against them supported with equal vigour and obstinacy, though with less violence than in the preceding year, made a spirited effort to defeat it by drawing their tithes. This task, too arduous for most of their brethren, was rendered practicable by a fortunate and uncommon concurrence of circumstances.—They were possessed of considerable private property,

perty, their parishes were compact, and their places of residence convenient; they had also the good fortune to be assisted by some worthy and opulent parishioners, who had always stood forth their friends and supporters, superior to the influence of selfish and narrow considerations. The undertaking was crowned with success. They kept a regular and distinct account of the quantity drawn from each person, in order that they might be enabled to ascertain, with precision, the difference between the real value of the tithe, and the price set upon it by their proctors, and to give a public and convincing proof of their moderation. The event fully justified their hopes.—In no instance did the proctor's valuation amount to two-thirds; in most it was under half; and in many it did not exceed one-third of the real value †. All these particulars can be verified by oath. The stubbornness with which the people adhered to the general resolution of not giving more than Whiteboy price, was the cause of much regret to some that perceived themselves the dupes of their own stratagem.—Yet such was their obstinacy, that a very few only, when the clergyman appeared able as well as willing to draw, were prudent enough

† In these parishes at least the objection of the people was, not to the exorbitancy of the demand, but to the demand itself.

enough to forego their determination, and embrace an advantageous offer. Instances are not wanting of a farmer's buying his tithe for more than the rector had at first demanded, even after several loads of tithe-corn had been taken from his field. These incontrovertible facts have more than a tendency to prove that the late insurrection (if it did not originate in) was at least supported by the weakness of the clergy; and that their supposed inability to maintain their legal right was the true basis and cement of the Whiteboy combination †.

The collection of tithe, so fraught with cruelty and injustice, is considered in the Reports, not only a heavy clog on the advancement of agriculture, but also as the chief or indeed sole cause of the present distressful situation of the southern peasantry. Leaving the wilds of fancy and speculation to hot brained rhetoricians, let us look for truth in the calm regions of reason and experience. Directing our view to England, a little observation will evince that the tithe system

† Had it been in the power of every proprietor of tithe to imitate the conduct of these gentlemen, what a world of trouble would have been saved!—the very name of Whiteboy had been now unknown;—we should have wanted a noble general's campaign in Munster;—we should have wanted a long and acrimonious war of pamphlets. The right honourable gentleman would have wanted an occasion for his late display of eloquence; and the clergy would have been in no want of—A COMPENSATION-BILL.

system has neither distressed the peasantry, nor impeded the progress of agriculture.— That wise and liberal people, to whom the improvement of husbandry and the prosperity of the husbandman have been always so deservedly dear, would surely long since have devised a commutation for tithes, had they been, as it is now pretended they are, so pregnant with calamity : Yet in most parts of England the clergy's dues are more numerous, and collected with far greater rigour. It would indeed require a considerable weight of evidence to convince us that a system, harmless in other places, should be injurious only in this. A nearer view of the situation of the southern peasantry will, I doubt not, afford satisfactory proof that their wretchedness is unjustly ascribed to tithes ; if the imputation be true, an exemption from tithe must be attended with content, comfort and affluence. On this let the question hinge. In the south of Ireland, and particularly in the county of Cork, (a principal scene of proctorial iniquity) are many farms, and even entire parishes, wholly free from this burden. To their inhabitants the name and office of proctor is either wholly unknown, or known only by report.— The fruitful fields which they cultivate safe from ecclesiastical extortion *smile* on the *happy* husbandmen ; they pay no *smoak-money*, except to the King ; nor are their *blissful* man-
fions

sions subject to any species of clerical demand. No dread citations from the *iniquitous* and *expensive* court, in which the Bishop's inquisitorial Vicar presides, alarm them with apprehensions for the 1*l.* 6*s.* 8*d.* and while the property of the *hapless* peasants in their vicinity is exposed to the *rapacious* proctor, they are left in the quiet enjoyment of the various comforts arising from a *successful* industry. Here, therefore, content and independance are to be looked for; and here, if the before mentioned charge was just, would they be found.—Fortunately, however, for the character of the clergy, there are no peasants in a less enviable situation than those who inhabit tithe-free lands.—That this is so, a little observation will evince; why it is so, a short view of the actual situation of the southern peasantry may perhaps satisfactorily explain.

The poverty and wretchedness of the southern peasantry † have been pathetically dis-

† The reader will take notice that the peasantry here meant are strictly those of the lowest order, or, as they are commonly called, Cottagers, who occupy small parcels of land, often acres and half acres. The condition of the rest is certainly much amended of late, and is daily mending. Witness the improved state of their habitations; witness the vast increase of agriculture, by which, instead of importing, we are now able to export, large quantities of corn.—Were some public spirited exertions made to remove the difficulties here mentioned, (a measure surely
more

displayed ; and I most sincerely lament that the picture is but too faithful.—What has reduced them to this situation, or whether they ever knew a better, I stay not to enquire ; the present purpose is to point out the material causes by which civilization and prosperity are retarded and depressed. I shall specify four.

1st. Ignorance.—By this I do not mean the want of learning, which the vulgar of every community must want, and without which they may be excellent members of society. I wish to express their unacquaintance with the ordinary duties of Christians and citizens, with the arts necessary to constitute as well as adorn a civilized state.—In other civilized countries the common people, however illiterate, entertain rational ideas of the comforts and conveniencies of life. Trained to useful employments from their earliest age, they owe to unremitting industry an easy and comfortable subsistence. Sensible of the source whence life and property derive protection, they respect the laws of their country, and, instead of combining

more truly patriotic than some that have lately engaged much attention) we might, from the advantages of our climate and situation, not unreasonably expect to see the Irish peasantry in a few years little inferior to those of the sister country. Encouragement of rioters and vilification of the clergy will not conduce much to this very desirable purpose.

to protect transgressors, are forward to bring them to justice. The greater part of our gentry, familiarized to scenes of wretchedness and riot, appear to overlook a situation which, to a stranger, presents so much horror and disgust: but such as have had an opportunity of contrasting them with other people, must both see and lament the miserable deficiency of their poor countrymen.

2d. The second and a most material bar to the improvement of the peasantry, is that state of vassalage in which they are held principally by land-jobbers or middle landlords, and the want of a permanent † interest in the lands they occupy. A land-jobber takes from a gentleman of large estate, too often an absentee, tracts of land, which he lets by the year at rack-rents to cottagers. The weight of rent making it impossible for the cottager to be out of debt, renders him wholly dependant on, and at the mercy of this

† The want of a permanent tenure, which land-jobbers never give, is an effectual check to the improvement of land; for the tenant, if he was able to do it, would not lay out his money in improving a farm which he cannot be sure of possessing for more than six months. Why should he plant trees which he cannot hope to cut, or make hedges to shelter another man's cattle. I may be told that farmers in England commonly hold lands without lease; but the case is by no means analogous. In England the farmer enters upon the land already in a high state of cultivation, which he has only to keep up: Besides there is no wish in his landlord to turn him out while he can pay his rent, nor in his neighbour to dispossess him by offering more.

this middle landlord, who, like the drone, idle and inactive himself, subsists by the industry of others. The labour of the cottager and his family must be always subservient to the call of his task-master, the least contradiction to whom would meet the severest chastisement. Thus, as if a rack-rent was not sufficiently rigorous, the task of servitude is added to his burden, till the peasant, depressed to the utmost, sinks beneath the load, and, losing that vigour of mind which industrious competence bestows, resigns himself to misery. The pernicious effects of this system, by which both lands and their occupiers are effectually precluded from all possible improvement, are now well known.—Much has been promised by the liberality of landed proprietors, but little hitherto done for the remedy of an evil alone sufficient to depress the peasant and withhold the advancement of agriculture. The number of absentee landlords and the hospitable extravagance of our gentry, too generally inattentive to the improvement of their estates and the prosperity of their tenants, make it to be feared, that a considerable time must elapse before we may expect the entire demolition of a system so long and so firmly established.

3d. The third obstruction to improvement is, the want of employment, and its consequence—the low price of labour. The

mildness and salubrity of the climate, in the highest degree friendly to population, have, in spite of all discouragements, crowded the southern coast with inhabitants.—This, in the present state of things a disadvantage, would, were trade and manufactures in any considerable degree of advancement, be a circumstance the most happy. The manufacturing towns and trading cities would not only raise the price of labour, and improve the markets as well as the means of living, but also employ those superfluous hands that now over-stock the land. The agriculture of Ireland can never be expected to improve while conducted with so much manual labour, and while the land is encumbered with indigent cottagers, who might be employed to the very great advantage of themselves and the state, in various branches of useful manufacture.—The strength of a state is estimated by the number of its members, but it is when those members are industrious, happy and united. In computing the force of this kingdom, how many thousands are there that cannot be admitted into the account, who neither understand nor experience the value of its constitution; and who, if they were to take any part upon a foreign invasion, would, from the hope of being bettered, and the impossibility of becoming worse, were there no other motives for choice, join the enemy's standard.

4th. Civi-

4th. Civilization is considerably retarded by the attachment of the people to a language unknown to the more polite part of the community, and which, though nervous in its expression, seems not sufficiently copious and elegant for all the purposes of social intercourse; it tends also to create disunion, and to keep alive a jealous distinction between the descendants of native Irish and English settlers. It is besides an insuperable bar to their embracing the Protestant religion, and indeed to the acquisition of any useful knowledge. The honest pride of an Irishman may possibly take offence at these objections to his native tongue, but his sober judgment will admit the strictures to be just. The late endeavours to diffuse learning, and a more general knowledge of the English tongue, shew that the importance of language in effecting a national reformation is sufficiently known. The prosecution of this great object will, no doubt, continue to meet that attention it so well deserves.

Let me ask any reasonable man, whether the four causes here assigned are not amply sufficient to produce all those evils and distresses so often and so justly deplored. For the existence of these causes I appeal to the observation of every intelligent person in Munster: how absurd is it therefore to impute to clerical exactions a wretchedness that subsists, where no ecclesiastical dues are demanded,

manded, and which would not be removed by the utter annihilation of tithe and its collectors. The advantages of an exemption from tithes, were they more substantial, would hardly recompence the poor for the want of those numberless kind offices which the profession of a resident divine obliges and enables him to perform.—The piety, the knowledge, the instructions, and the example of a good parish minister, operating with continual energy within the sphere of his influence, must have a strong tendency to mend the hearts and soften the manners. Instead of reducing their numbers (the inevitable consequence of reducing their provisions) it were to be wished that every parish could maintain its minister, such a one as I have described, being, even in political consideration, one of the most useful members of society.

In the Speech under consideration it is asserted, that “ it is an infamous libel on the gentry of this kingdom, and a scandalous imputation on both Houses of Parliament, to say, that taking from the peasantry the burden of tithes would afford but a momentary ease, inasmuch as rents would rise in consequence.” It is no libel to say, that lands set higher for being tithe-free; witness our daily papers, in which the advantages of such exemption are most sedulously specified. If then the annihilation of the parson’s claim
be

be materially conducive to the landlord's interest, every diminution thereof must, I conceive, bring a proportional advantage. If the abolition of tithe serves him much, the reduction of it will serve him a little. But though it might be admitted that the members of both Houses of Parliament and the gentry of this kingdom were as liberal and beneficent as the Orator would represent them, yet how is the indigent cottager to benefit thereby? He holds neither from the legislature nor the gentry; his immediate landlord is either a substantial farmer, who, having more land than he wishes to occupy, sets the superfluous acres to under-tenants, or some land-jobber, who lives by rack-rents and extortion. Of these, I presume, it is no libel to say, that they are ready to seize the most trifling advantage that offers, and that the comforts of the cottager are very light indeed when set in the scale against their interests. It may be questioned, whether even the liberality of the squire would be always proof against the tempting invitations to swell the rental. By the others the golden opportunity would most certainly never be omitted.

To the weight of facts let us add the force of presumptive arguments. From these it will appear that the clergy, if they could be supposed to harbour the inclination, are destitute of the ability to oppress. A stranger
in

in the parish to which he is collated, void of influence among the people, and regarded with jealousy by every petty landlord, a rector appears less qualified to be the author than the object of tyranny. The employment of a proctor arises from necessity. A clergyman whose early years have been spent in the pursuit of learning, whose prime of manhood has been employed in the duties of a curacy, or the drudgery of a school, finds at length the reward of expensive education and laborious exertions in a benefice; more acquainted with books than men, he is however superior ⁱⁿ intellectual acquirements, inferior to his most ignorant parishioners in the art of making a bargain; defrauded by some, disappointed by others, unfit from his past habits, or unable from the duties of his function, to give his temporal affairs that minute attention concerns so complicated demand, he finds himself under the necessity of employing a subordinate agent, commonly called a Proctor, or of setting the whole or part of his parish to one man, commonly called the Tithe-farmer. It is not uncharitable only, but unreasonable to suppose, that persons selected to inculcate, both by precept and example, the mild virtues of Christianity, should so far deviate from every purpose of their institution as to live in the daily practice of cruelty and oppression. Is it to be imagined that the delegates of Christ
can

can so change their nature, desert their principles, and renounce the God, to whose service they had dedicated themselves, as to become the shameless patrons of guilt and promoters of iniquity.—Did not common sense disown the imputation, the recent occurrences in Munster might sufficiently shew not only the difficulty with which their *splendid* incomes are collected, but also with what impunity their rights may be invaded, their persons insulted, and their property destroyed. Yet during the storm of persecution, when licentiousness was suffered to rage uncontrouled, when selfish illiberality justified her depredations, and every source of complaint was industriously explored, what oppressions were specified, what accusations brought home? By the insidious policy of interested persons a general clamour was excited, in the noise of which reason, justice and humanity, were lost. Returning reflection shewed not only the danger of the persecution, but the innocence of the persecuted.—Cool investigation which, it was hoped by many, would have brought heinous misdemeanors of the clergy to light, uniformly tended to remove each heavy imputation; nor did there appear, even in the parishes where complaint and outrage were most loud and excessive, causes by any means adequate to the tumult raised. Administration, the cautious wisdom of whose councils evinced

E a strict

a strict impartiality, remained some time suspended between the contrary opinions that distracted the public mind. Good policy at length suggesting the necessity of restoring order, mild and, as it was hoped, effectual measures were taken to suppress riot and outrage. The same justice that guided their first counsels inspired the idea of making compensation to the injured. A bill for the relief of the clergy was brought into Parliament, and passed both Houses with an unanimity which, when we reflect on the novelty of the measure, may be deemed extraordinary, and when the number of southern members present is considered, may be regarded as a testimony of the clergy's sufferings and innocence the most satisfactory and honourable. After all this—after the subject had undergone the strictest scrutiny, after the enemies of the established church had exposed their malignity and their impotence, after the minute enquiries of an impartial administration had justified the conduct of the clergy, and after the great council of the nation had (virtually at least) approved their moderation and proclaimed their innocence, a new and important accuser was indeed unexpected—an accuser, coming forward in the awful shape of orator, of senator, and of patriot. The clergy looked not for an enemy in the man who allayed his thirst for knowledge at the fountain from which they drank,

drank, who enriched his mind with the same refined and elegant sentiments, who imbibed the same liberal principles of civil and religious liberty, and whose genius and eloquence restored life and splendor to that glorious constitution of which they are the firm and unalterable supporters. But how feeble the exertions of genius and eloquence unanimated by truth, unsupported by justice! Those abilities that were wont to appear like the splendor of that glorious orb, which vivifies while it illumines, have declined to a resemblance of the lightning's transient flash, bright indeed, but baneful. The appearance of such an accuser is however much to be regretted: for though joy must ever accrue from the disappointment and impotence of unprovoked hostility, yet will the pleasure be mingled with no small concern in the breast of the philanthropist, who cannot without pain observe the miserable imbecillity of human nature, even in her proudest boasts, and who must lament that unhappy mixture of impure alloy by which the ore of patriotic virtue is so often sullied and debased.

The promised display of abilities so confessedly pre-eminent, was expected with the most anxious impatience. It was hoped that a subject which had engaged, agitated, and alarmed the whole kingdom, would have been treated with the spirit of candor, and

the perspicuity of wisdom; that means would have been furnished to remove every complaint, and heal all the wounds of intestine discord; and that the judicious of all parties would have combined to celebrate and admire the joint result of genius and of justice. This was the warm expectation of many a citizen;—it was the ardent wish of the writer of these pages. The consequent disappointment seems to have arisen from the manner in which the subject was taken up. A matter of such extensive importance required a mode of proceeding widely different from that which appears to have been pursued. A person sincerely intent to investigate truth and effect reformation, would not have rested satisfied with a superficial and partial inquiry; *he* would have heard with caution the representations of each party, and would have endeavoured to make himself acquainted with the real merits of the question; *he* would have collected information from the most intelligent and respectable of *both* parties; *he* would not have declined receiving testimony on one side, however respectable, and embraced evidence on the other, however absurd and improbable; *he* would have been slow in forming, much more in delivering an opinion concerning the state of a country to which he was an entire stranger; *he* would have raised arguments, not from fancy, but from fact—
not

not from pretended or suspicious depositions on *one* side, but from actual and credible deponents on both; *he* would have pursued the dignified conduct of an upright senator, whose object is equal justice, not that of a venal advocate, indifferent to the merits of the question, and anxious only for the success of his eloquence; *he* would not have decided without knowledge, nor condemned before conviction!

Beside the general imputation of oppressive conduct, the clergy are profusely censured in the speech under consideration, for opposing regulations that have never been offered. The sense of the clergy has surely never been taken on the subject of commutation for tithes, which has hitherto been only a theme for discussion. The management of tithe in a country, circumstanced like this, is so complicated and difficult, and such a source of disunion between the clergy and their parishioners, that it is reasonable to suppose a fair equivalent to them, and their successors, would be gladly accepted; for who would not exchange an uncertain and troublesome income, for one paid in a regular and satisfactory manner. Some late writers indeed, Lay as well as Ecclesiastical, have offered objections to an alteration of the present system, which the orator did not condescend to remove. These however are but the opinions of individuals; nor is any person

son warranted to assert, far less to censure, the invariable attachment of the clergy to the tithe system.—Hear however the language of the Reports. “The * Demon of unrighteousness seems to have inspired the Irish ecclesiastics with an unholy zeal; and they oppose, with fury, the reformation of a system, which they cannot support by apostolic authority.”——“The impious opinion that the wealth of the church should be unbounded, as if Christ could not walk over the land without being accompanied by Mammon.”——“That presumptuous waywardness which will neither hearken to the cries of distress or the dictates of reason.”——“That spirit of jealousy which impels the clergy on the mention of commutation to attempt moving heaven, earth and ocean, in their

* The passages here quoted are not more illiberal than absurd. Why is it unholy to differ in opinion from Mr. G——, or any other? Why unholy (admitting their attachment to the tithe system) to adhere to a system supported by 1300 years practice, till arguments at least, if not experience, shall have convinced them that alteration would be amendment? If the Apostles have not enjoined tithes, (which, in the circumstances of times and persons would have been absurd) they surely have not prohibited them. Is it unholy to accept any gift, salary, or emolument not enjoined by the Apostles? Where did they enjoin a late gift of 50,000*l.*? Dans le Chapitre des Chapeaux. If Christ cannot walk over the land without being accompanied by Mammon, he certainly travels more with Peers, Commoners, Merchants, Lawyers, and even Attornies, than with Parsons. The rant of Jupiter, &c. is beneath a school-boy.

their behalf—to invoke Jove to shake Olympus with his thunderbolts, Neptune to rake the deep with his trident, while Plutus, their tutelary God, protects their coffers, &c. &c. &c.”

Does conduct like this become—do sentiments and language like these adorn, the scholar, the statesman, the gentleman? Are these the bright effusions of attic eloquence, inspired by genius, animated by conviction? Is this the late reward of long public expectation—the mature result of profound knowledge and political wisdom? If this be oratory, be my tongue ever ineloquent; if this be glory, may my life be ever inglorious.—May no intemperate thirst of applause lead me beyond the limits of decency and moderation. Let me pass innocent and unnoticed through the vale of humble life, rather than attain the proudest distinction of renown at the expence of candor, of justice, and of truth!

Having endeavoured as briefly as possible to execute the proposed design, but little remains to be added. Let me only, before I dismiss the subject of tithes, claim the attention of a moment to the following observations.

In the question of tithes, hitherto the clergy alone seem to have been considered, to them and their agents, all oppressions, extor-

extortions and abuses committed, or supposed to be committed in the collection of tithes, are imputed, as if they were the sole and exclusive proprietors thereof. It seems to have escaped observation, that in the south of Ireland nearly one-third part of the tithes is the property of laymen, a possession which they have hitherto considered as permanent, secure and legal as lands or houses. If, as it is insinuated, tithes are merely a reward for the exercise of pious functions, how comes it to pass that we find them possessed by persons incapable of exercising these functions? Shall then the tithe-endowed layman and the beneficed clergyman be judged by a different standard? Shall the former be permitted to make the most of his property, and shall the latter be charged with oppression if he demands his dues? Or is it the clergy alone that are uncharitable, and are the impropiators always just and merciful? If, according to the Report, tithes are a public property to defray a public expence, *viz.* the maintenance of the clergy; and if this maintenance may be new modified, increased or diminished, at the will of omnipotent parliament, what is to be done with impropriate tithes? These have no connection with churchmen, and are a man's private property, as much as his horse or cow. Though it may be consistent with the orator's views to new-model clerical pos-

possessions, without consulting the proprietors, it may seem a little hard to dispose of so large a lay property as the impropriations of the kingdom in the same manner: but his intention, it seems, is to befriend both parties, to rescue the peasant from the merciless proctor, and to augment rather than diminish the income of the clergy.—One would hardly expect to find this design connected with a proposal to abolish the tithe of potatoes *, which, in the county of Cork, makes nearly one-half of the income of livings. There seems no just cause why potatoes, which are there largely cultivated for exportation as well as home consumption, should not be equally titheable with wheat and oats. The substantial farmer wants not the exemption; to the poor cottager it would

* Supposing it otherwise, and that potatoes were cultivated solely for the food of the peasant, why should they be exempt from payment of tithe? Why should Farmer B, or Squire A's under-tenants, be fed at the expence of Parson C? I have no objection to his contributing with the others to improve the peasant's meal, by a joint abatement of their demand, but I do not see why the whole weight should rest upon me. Potatoes are the food of the peasant; therefore, says Mr. G——, they ought to be tithe-free.—Some years hence, oats or barley may become their chief nourishment; these will, of course, experience a similar exemption. In process of time they may feed on wheat, which being likewise delivered from the burden of tithe, will leave the lands happily disencumbered of every clerical demand.

F

be

be useless, as the rent of his field would rise in proportion. The modes of commutation by applotment and acreable ratage are liable to great exceptions; nor have I yet seen one, of the many plans devised, which would afford a fair equivalent for tithe, without an increase of difficulty to the husbandman.—I would however by no means discourage the idea of the practicability of commutation. It is an undertaking worthy the attention of the legislature. To secure * property, harmony and peace, and to prevent and suppress sedition, tumult and injustice, are objects of high importance. Such is the state of the southern provinces, and such the imperfection of the present system of tithe laws, that these important objects can be obtained *only* by a regulation † of those laws, or by a COMMUTATION.

* The clergy are to be supported, or they are not.—I presume every friend of civil and religious liberty will join Mr. G—— in maintaining the former part of the alternative. The present situation of the clergy in the south of Ireland calls upon the legislature to take a decided part. An effectual support can be given but in two ways, either by securing that provision to which they are now entitled, or by substituting an equivalent. If the question of support be determined in their favour, one of these modes must be immediately adopted, their present incomes being *universally insecure, generally reduced, and in some places almost wholly taken away.*

† As it may be asked, what regulation of the tithe-laws would answer the desired purpose, I shall venture to suggest one,

one, in my opinion, sufficient.—In a country like this, where the farms are in general very small, and the parishes very extensive, the disadvantage is, under the present system, too much on the side of the incumbent. If his parishioners entered into a resolution not to buy their tithes, he would find it almost an impossibility to collect from every person, although no force, threats, or other unlawful means, were made use of, to deter him and his assistants from the undertaking. A cottager six miles distant, whose tithe might be worth eight or ten shillings, gives notice to draw: the incumbent sends a man and horse at the time appointed: the cottager throws down ten sheaves, one of which is given to the parson; after which he observes that the weather is unfavourable, and refuses to open any more of his stack. The same may be practised by other farmers, who, by these means, may, without any unlawful proceeding, distress the incumbent to the last degree. On the other hand, the incumbent is obliged to attend every legal notice, and if unable to accomplish drawing from each, has no farther remedy; for he cannot sue unless tithe be subtracted. The present laws therefore, though in a well-regulated community, and in small and compact parishes perfectly unexceptionable, (as the facility of drawing, where the price demanded by the incumbent is not approved by the farmer, precludes all farther dispute, and leaves each party satisfied) are partial and inequitable here. Let then the farmer who objects to the rector's valuation, give the usual legal notice for setting out his tithe, and if not taken away, let him haggard it for a certain number of days—suppose four; at the end of this time, if not taken away by the proprietor, let him deliver it to the incumbent, if resident, or to some person appointed to receive it, if not: and in order to induce the incumbent to draw, if possible, let the farmer reserve a portion of the tithe (which might be ascertained by law) to defray the expence of care and carriage. Thus the proprietor of tithe would not be materially injured by his inability to draw, and the farmer, if dissatisfied with the price demanded, would have a certain method of avoiding litigation, and doing justice by delivering the tithe, for the trouble of which, I would have him receive more than a just equivalent. And for those indigent cottagers, whose

tithe would not be worth a long carriage, let them proceed as at present. This alteration I propose, from an entire conviction that the following are true propositions. First, That Mr. G—'s modes of commutation would bear harder on the peasantry. And secondly, That the Whiteboy combination, so injurious and disgraceful, is really founded (be the pretences what they may) on the clergy's inability to draw.

THE multitude is ever ready to play
 false. I am among the better informed
 the number of those who think for them-
 selves and estimate matters by their own
 judgment. It is comparatively small. — In
 weigh well the merits of a question, to con-
 sider arguments, to consider consequences,
 demand more mental exertion than the
 faculty are willing or perhaps competent to
 make. Many take opinions upon trust, and
 an opinion once formed, it is not easy to
 alter, human pride being very averse to
 confession of error. Hence the facility with
 which a measure of injurious tendency may
 by the aid of specious words and a fair ex-
 pose be rendered popular, and hence the
 difficulty they have to encounter, who would
 correct the general prejudice and show the
 question in its true light. Time, no doubt,
 will expose sophistry, and make truth pre-
 dominant, but much injury and injustice may
 be committed before that time shall arrive.

APPEN-

A P P E N D I X.

THE multitude is ever the dupe of plausibility. Even among the better informed, the number of those who think for themselves, and estimate matters by their own judgment, is comparatively small. — To weigh well the merits of a question, to compare arguments, to consider consequences, demand more mental exertion than the generality are willing or perhaps competent to make. Many take opinions upon trust, and an opinion once formed, it is not easy to alter, human pride being very averse to a confession of error. Hence the facility with which a measure of injurious tendency may, by the aid of specious words and a fair outside, be rendered popular ; and hence the difficulty they have to encounter, who would correct the general prejudice and shew the question in its true light. Time, no doubt, will expose sophistry, and make truth prevalent, but much injury and injustice may be committed before that time shall arrive.

When

When such a measure is brought forward, it is the duty of a good citizen to prevent, as far as in him lies, the apprehended mischief, and fairly to avow his sentiments, not biassed by the terror of great names, nor discouraged from his undertaking by popular clamour.—These observations are designed to preface the following objections to a bill that passed the House of Commons in the last session of Parliament, and is intended to be revived in the next, *viz.* a bill to exempt and discharge from tithes for seven years, “all barren heath and moory ground, mountain, bog, moss, and land taken in and enclosed from the sea, or any lough or river, which by reason or means of drains, dikes, or other valuable improvements shall be improved and converted into arable or meadow ground.

The ostensible objects of this bill are praise-worthy, and the proposed operation desirable. It professes to add to the national stock by fertilizing lands hitherto of little value; to promote and increase agriculture; to combine private advantage with public utility. A measure of this nature cannot fail in a particular manner to excite the attention of the clergy. As members of the state they are materially concerned in every thing that affects its welfare. But a bill capable of producing these ends must be peculiarly acceptable to them whose incomes arise from tillage.

tillage. Their opposition to the bill therefore cannot be supposed to proceed from a disapprobation of its principle, but from a distrust of its efficacy. Mature deliberation has taught them to apprehend consequences of a partial and dangerous nature; consequences of general prejudice and particular injury; consequences wholly opposite to those fair ends it professes to have in view. To justify these sentiments, and shew how well founded their apprehensions are, the following Objections are candidly submitted to the public.

I. THE particular advantages resulting from barren land reclaimed and made fertile, are threefold; to the occupier, to the landlord, and to the incumbent. Of these the incumbent's advantage is the least, and the landlord's or proprietor's, (unless the occupier's be a permanent tenure), the greatest. Is it not therefore unreasonable that the person who has least profit from the improvement should be not only its chief but sole encourager?

II. IS not the term of seven years, which is supposed to be equal to the life interest each incumbent has in his benefice, much too long for such exemption? would it not be a sufficient encouragement on the part of the incumbent, to lose the tithe of the first crop in reclaim'd ground; and ought not the other persons benefited thereby to contribute

tribute towards promoting the improvement?

III. IN mountainous parishes where considerable rents are paid by pasture and breeding of cattle, the operation of this bill would deprive the clergy whose tithes are drawn from the small portions of land which the herdsmen and cottagers till for their families, of their entire incomes: And this not only without serving the community or answering the proposed ends of the bill, but possibly with contrary effects. For the peasants who, if another person's claim to the tenth of their produce was allowed, might, on that account, cultivate a larger quantity, would in this case till no more than was barely sufficient for their own consumption. At all events they would only continue to cultivate yearly a part of their mountain grounds.—By which means, without any addition to the quantity of their annual tillage, or any improvement of the country, the clergy would be deprived of their rightful support.

IV. THE far greater part of the land called Barren, by no means comes within the spirit of the bill, if its intention be to hold out encouragement for the surmounting of difficulties. Thousands of acres that come under the description of moor, mountain, heath, bog and moss, are less difficult of cultivation

cultivation than many of those which have been time out of mind under tillage. The process is barely to pare and burn the surface, an operation less difficult, except in places extremely rugged, than the breaking up a field overgrown (as many fields not lately tilled are) with furze.—In lands of this kind the exemption is unnecessary as well as injurious.

V. The first clause of the bill, from want of precision in defining that species of land which alone can be the object of this encouragement, is wholly exceptionable.—It would include much land in the province of Munster, which not only is not barren, but which has actually paid tithe of some or all of the articles specified in the bill.—The word Moss in particular may be applied so extensively as to include almost all lands that have been long out of tillage.

VI. This bill would subject the clergy in all cases to be called upon to prove that the grounds out of which they claimed tithes, had actually paid like tithes before. The injurious consequences of so unreasonable a requisition are obvious. In many cases it may be impossible to prove that grounds, long untilled, had ever actually paid tithe. The marks of the ploughshare may sometimes be the clergyman's only proof of former cultivation, and as he does not see the

G

land.

land till after it has been broken up, even this slight evidence of his right may be taken away. The circumstance of a clergyman's being generally unacquainted with his parish before the time of his collation would considerably increase the difficulty of this proof.

VII. Under this bill, suits for tithes in all cases whatsoever might be removed by prohibition into the superior courts—a peculiar hardship in this kingdom where prohibitions may be obtained upon a bare suggestion, and at a trifling expence to the plaintiff, whilst they cannot be set aside without a tedious and expensive process. What advantage would be taken of this circumstance to injure and distress the clergy in the present state of the country and temper of the times, is too manifest to need any comment.

VIII. There are no just grounds for supposing that tillage would hereby be increased *. The tillage of the kingdom is already adequate to the demand both for exportation and home consumption. A greater demand would, without the aid of this bill, be suf-

* The true method of encouraging agriculture has already been adopted, viz. a bounty on the exportation of grain, by which, instead of importing, we have, within a few years been able to export vast quantities of corn. As this judicious measure has fully answered the end, what need of any further experiments, much less such as will be attended with certain injury and precarious benefit.

ficient to produce a proportional increase of agriculture, whilst a bill of this nature, without such demand, would do nothing, for none will grow more than they can dispose of. Farmers will indeed be induced by the exemption, not to increase their agriculture, but to transfer it; they will till that which was before pasture, and feed that which was before tilled. But this proceeding will neither increase tillage, nor improve land.— The result of it will be partial injury without public benefit.

IX. The last, but not, the least, objection to this bill arises from its tendency to create endless disputes concerning the nature and description of ground out of which tithe shall be claimed; to promote litigation and perjury; and to increase the dissensions already unhappily subsisting in too many places between incumbents and their parishioners.

These objections will, I trust, convince every friend to truth and justice, every man who has the peace of the country and the interests of religion seriously at heart, that this bill, however well intended, is partial, injurious and inefficacious, and that it ought to be inadmissible.

F I N I S.

The following is a list of the names of the persons who have been appointed to the various offices of the Board of Education for the year 1900-1901. The names are arranged in alphabetical order of the surnames.

THE

